

TITLE 10 -- DEPARTMENT OF NATURAL RESOURCES  
DIVISION 60 – SAFE DRINKING WATER COMMISSION  
Chapter 4 – Contaminant Levels and Monitoring

PROPOSED AMENDMENT

**10 CSR 60-4.020 Maximum Microbiological Contaminant Levels and Monitoring Requirements.** The commission is amending section (7) and adding section (8).

*PURPOSE: This amendment modifies coliform sampling requirements to include Revisions to the Total Coliform Rule (RTCR) (78 Federal Register 10269). Certain provisions of the rule are applicable until March 31, 2016 or until all repeat monitoring is completed and then are replaced by the RTCR. On April 1, 2016 systems will be required to continue monitoring on the same frequency as on March 31, 2016.*

(7) MCLs for Microbiological Contaminants.

(A) **[The]Until March 31, 2016, the total coliform** MCL is based on the presence or absence of total coliforms in a sample, rather than coliform density. Public water systems need only determine the presence or absence of total coliforms; a determination of total coliform density is not required.

1. For a system which collects at least forty (40) samples per month, if no more than five percent (5.0%) of the samples collected during a month are total coliform-positive, the system is in compliance with the MCL for total coliforms.

2. For a system which collects fewer than forty (40) samples per month, if no more than one (1) sample collected during a month is total coliform-positive, the system is in compliance with the MCL for total coliforms.

(B) **[Any]Until March 31, 2016, any** fecal coliform-positive repeat sample or *E. coli*-positive repeat sample, or any total coliform-positive repeat sample following a fecal coliform-positive or *E. coli*-positive routine sample constitutes a violation of the MCL for total coliforms. For purposes of the public notification requirements in 10 CSR 60-8.010, this is a violation that may pose an acute risk to health.

(C) **Beginning April 1, 2016, a system is in compliance with the MCL for *E. coli* for samples taken under the provisions of 10 CSR 60-4.022 of this part unless any of the conditions identified in paragraphs (C)(1) through (C)(4) of this section occur. For purposes of the public notification requirements in 10 CSR 60-8.010, violation of the MCL for *E. coli* may pose an acute risk to health.**

1. The system has an *E. coli*-positive repeat sample following a total coliform-positive routine sample.

2. The system has a total coliform-positive repeat sample following an *E. coli*-positive routine sample.

3. The system fails to take all required repeat samples following an *E. coli*-positive routine sample.

4. The system fails to test for *E. coli* when any repeat sample tests positive for total coliform.

**(D) Until March 31, 2016, a public water system must determine compliance with the MCL for total coliforms in subsections (7)(A) and (B) of this rule for each month in which it is required to monitor for total coliforms. Beginning April 1, 2016, a public water system must determine compliance with the MCL in subsection (7)(C) of this rule for each month in which it is required to monitor for total coliforms.**

**(8) Coliform sampling. The provisions of sections (1) and (4) of this rule are applicable until March 31, 2016. The provisions of sections (2), (3), (5), and (6) of this section and 10 CSR 60.5.010(3) are applicable until all required repeat monitoring under section (2) of this rule and fecal coliform or *E. coli* testing under section (5) of this rule that was initiated by a total coliform-positive sample taken before April 1, 2016 is completed, as well as analytical method, reporting, recordkeeping, public notification, and consumer confidence report requirements associated with that monitoring and testing. Beginning on April 1, 2016, the provisions of 10 CSR 60-4.022 are applicable, with systems required to begin regular monitoring at the same frequency as the system-specified frequency required on March 31, 2016.**

*AUTHORITY: section 640.100, RSMo Supp. 2002.\* Original rule filed May 4, 1979, effective Sept. 14, 1979. Amended: Filed April 14, 1981, effective Oct. 11, 1981. Rescinded and readopted: Filed Dec. 4, 1990, effective July 8, 1991. Amended: Filed Feb. 1, 1996, effective Oct. 30, 1996. Amended: Filed March 17, 2003, effective Nov. 30, 2003. Amended: Filed Aug. 17, 2015.*

*\*Original authority: 640.100, RSMo 1939, amended 1978, 1981, 1982, 1988, 1989, 1992, 1993, 1995, 1996, 1998, 1999, 2002.*

*PUBLIC ENTITY COSTS: This amendment is anticipated to cost state agencies and political subdivisions less than \$500 in the aggregate.*

*PRIVATE ENTTY COSTS: This amendment is anticipated to cost private entities less than \$500 in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: The Department of Natural Resources Public Drinking Water Branch will hold a public hearing on this proposed rule at 10:00 a.m. on October 16, 2015 at the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, Missouri. Any interested person may comment during the public hearing in support of or in opposition to the proposed rule. Written comments postmarked or received by October 19, 2015 will also be accepted. Written comments must be mailed to: Scott Weckenborg, MDNR Public Drinking Water Branch, P.O. Box 176, Jefferson City, MO 65102, or hand-delivered to the Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, Missouri.*